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* Admitted in NY only
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*** Passed the Patent Bar Examination

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GARY W. FLOURDE II

December 6, 2000

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 09/605,703
Filed: June 27, 2000
Entitled: Corynebacterium Glutamicum Genes Encoding Novel Proteins
Inventors: Markus Pompejus *et al.*
Our Reference: BGI-129CP

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice To File Missing Parts of Nonprovisional Application (in duplicate);
2. Executed Declaration, Petition and Power of Attorney for Patent Application;
3. Copy of Formalities Letter;
4. Check for \$2,772.00 (including \$710 filing fee, \$1,662 extra claim fee, \$270 multiple dependent claim fee, and \$130 surcharge);
5. Preliminary Amendment;
6. Request for Correction of Filing Receipt;
7. Copy of Filing Receipt with marked-up corrections; and
8. Acknowledgement postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

"Express Mail" Mailing Label Number EL 589 739 425 US

Date of Deposit December 6, 2000

I hereby certify that this transmittal letter and the papers referred to as being enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Part

[Signature]

Signature

Ilidio P. Cardoso

Name of person signing

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

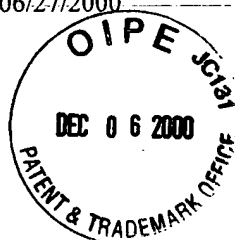
[Signature]
Nicholas P. Triano III, Esq.
Registration No. 36,397 for
Elizabeth A. Hanley, Esq.
Reg. No. 33,505

120700
SECTOR 8

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/605,703	06/27/2000	Mark-Pompejus	BGI-129CP

000959
LAHIVE & COCKFIELD
28 STATE STREET
BOSTON, MA 02109

FORMALITIES LETTER



OC000000005459074

Date Mailed: 10/06/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1368.
 - \$432 for 24 total claims over 20.
 - \$936 for 12 independent claims over 3.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 2188.

A copy of this notice **MUST** be returned with the reply.

12/08/2000 GTEFFERA 00000104 09605703

Customer Service Center
Initial Patent Examination Division (703) 308-1202

01 FC:101	710.00 OP
02 FC:105	130.00 OP
03 FC:103	432.00 OP
04 FC:102	960.00 OP
05 FC:104	270.00 OP
06 FC:199	270.00 OP

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Markus Pompejus *et al.*

Serial No.: 09/605,703

Filed: June 27, 2000

For: Corynebacterium Glutamicum Genes Encoding
Novel Proteins

Attorney Docket No.: BGI-129CP

Group Art Unit: 1641

Examiner:

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

"Express Mail" Mailing Label Number EL 589 739 425 US

Date of Deposit December 6, 2000

I hereby certify that this transmittal letter and the papers referred to as being enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

MISSING
PARTS

Signature

Ilidio P. Cardoso

Please Print Name of Person Signing

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Dear Sir:

Responsive to the Notice to File Missing Parts of Nonprovisional Application dated October 6, 2000, Applicants submit herewith the executed Declaration, Petition and Power of Attorney for Patent Application for the above-identified patent application. A check in the amount of \$2,772.00 is enclosed to cover the total amount owed by Applicants, including \$130.00 surcharge, \$710.00 basic filing fee, \$1,662.00 additional claim fee, and \$270.00 multiple dependent claim fee, based on large entity status. A copy of the Formalities Letter is also enclosed.

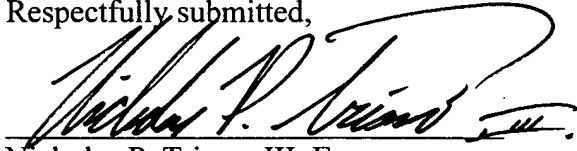
A Preliminary Amendment is being filed herewith.

Applicants' attorney notes that the claim fee calculation in the Formalities Letter is incorrect. We calculate 39 total claims over 20, and 12 independent claims over 3.

The Commissioner is hereby authorized to charge payment of any fees under 37 C.F.R. 1.16 and 1.17 during the pendency of this application or credit any overpayment to Deposit Account No. 12-0080.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. A duplicate of this letter is enclosed.

Respectfully submitted,



Nicholas P. Triano, III, Esq.

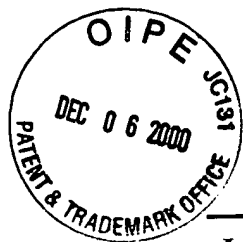
Registration No. 36,397 for

Elizabeth A. Hanley, Reg. No. 33,505

Attorney for Applicants

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, MA 02109
Tel. (617) 227-7400

Dated: **December 6, 2000**



Attorney Docket No.: **BGI-129CP**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Markus Pompejus *et al.*

Serial No.: 09/605,703

Filed: June 27, 2000

For: Corynebacterium Glutamicum Genes Encoding Novel Proteins

Attorney Docket No.: BGI-129CP

Group Art Unit: 1641

Examiner:

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

REQUEST FOR CORRECTION OF FILING RECEIPT

Dear Sir:

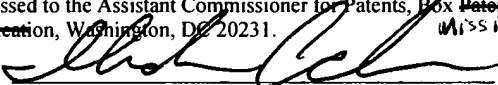
Please correct the Filing Receipt for the above-identified patent application as follows:

Correct the number of "TOT CLAIMS" to read --59--.

The "Continuing Data" section of the Filing Receipt omits the priority information which should read:

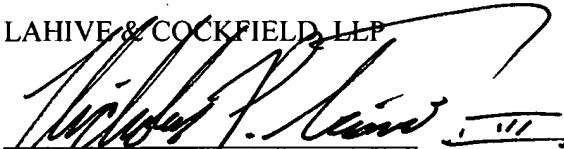
THIS APPLN CLAIMS BENEFIT OF 60/152,318 09/03/99
WHICH CLAIMS BENEFIT OF 60/142,764 07/08/99.

A copy of the Filing Receipt with the changes noted thereon is submitted herewith. A corrected Filing Receipt (PTO-103P) is respectfully requested.

Express Mail" Mailing Label Number <u>EL 589 739 425 US</u>
Date of Deposit <u>December 6, 2000</u>
I hereby certify that this transmittal letter and the papers referred to as being enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.
 Signature
<u>Ilidio P. Cardoso</u> Name of person signing

Respectfully submitted,

LAHIVE & COCKFIELD, LLP


Nicholas P. Triano, III, Esq.
Reg. No. 36,397 for
Elizabeth A. Hanley, Reg. No. 33,505
Attorney for Applicants
28 State Street
Boston, MA 02109
Tel. (617) 227-7400



UNITED STATES PATENT AND TRADEMARK OFFICE

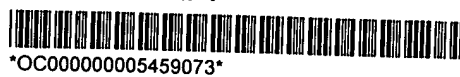
COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/605,703	06/27/2000	1641	0	BGI-129CP		44/52	15

000959
LAHIVE & COCKFIELD
28 STATE STREET
BOSTON, MA 02109



FILING RECEIPT



OC000000005459073

Date Mailed: 10/06/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Mark Pompejus, Freinsheim, GERMANY;
Burkhard Kroger, Limburgerhof, GERMANY;
Hartwig Schroder, Nussloch, GERMANY;
Oskar Zelder, Speyer, GERMANY;
Gregor Haberhauer, Limburgerhof, GERMANY;

Continuing Data as Claimed by Applicant

THIS APPLICATION CLAIMS BENEFIT OF 60/152,318 09/03/99
WHICH CLAIMS BENEFIT OF 60/142,764 07/08/99

Foreign Applications

If Required, Foreign Filing License Granted 10/06/2000

Title

Corynebacterium glutamicum genes encoding novel proteins

RECEIVED LAHIVE & COCKFIELD DOCKET DEPT. OCT 13 2000 10/2 Mac RETRIEVED: FORWARDED: 11/2 dg

Preliminary Class

436

Data entry by : ARMSTEAD, LORRAINE

T am : OIPE

Date: 10/06/2000

